

Message

From: Pirzadeh, Michelle [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=2AE309E0A52A42CD847709B39BC2239A-PIRZADEH, MICHELLE]
Sent: 5/20/2022 6:35:40 AM
To: Edmondson, Lucy [Edmondson.Lucy@epa.gov]
Subject: Fwd: Your Timely and Required Response Is Now Past Due...Weekly Reminder
Attachments: Agricultural Pollution in Puget Sound - April 2016 - Web.pdf; Salmon_PolicyBrief_12-13-21_2.pdf

Sent from my iPhone

Begin forwarded message:

From: Ex. 6 Personal Privacy (PP) [REDACTED]@gmail.com>
Date: May 19, 2022 at 11:34:58 AM PDT
To: "Jacobson, Marty (ECY)" <MAJA461@ecy.wa.gov>, "Flege, Kyrre (AGR)" <KFlege@agr.wa.gov>, "Rau, Ben (ECY)" <benr461@ecy.wa.gov>, "Sandison, Derek (AGR)" <DSandison@agr.wa.gov>, "Watson, Laura (ECY)" <law461@ecy.wa.gov>, "McLain, Kelly (AGR)" <KAardal@agr.wa.gov>, "Daniel (AGR)" <DSulak@agr.wa.gov>, "Pirzadeh, Michelle" <Pirzadeh.Michelle@epa.gov>, Julia.Reitan@washington.sierraclub.org, "Regan, Michael" <Regan.Michael@epa.gov>, "Eoc, Epahq" <Eoc.Epahq@epa.gov>, washington@tnc.org, Anson.Tebbetts@vermont.gov, Terry.Smith@vermont.gov, psa@pugetsoundkeeper.org, "Peak, Nicholas" <Peak.Nicholas@epa.gov>, Andrew Hawley <Hawley@westernlaw.org>, Craig Bowhay <cbowhay@nwifc.org>, steveo@co.skagit.wa.us, rickh@co.skagit.wa.us, mpia461@ecy.wa.gov, "Jamila (GOV)" <Jamila.Thomas@gov.wa.gov>, "Blackmore, Laura (PSP)" <laura.blackmore@psp.wa.gov>, "Alex (PSP)" <alex.mitchell@psp.wa.gov>, "Ahren (PSP)" <ahren.stroming@psp.wa.gov>, "RCO MI General Info (RCO)" <info@rco.wa.gov>, "Kyle K (DFW)" <Vincent.Adicks@dfw.wa.gov>, "Erik (GSRO)" <erik.neatherlin@gsro.wa.gov>, info@charlietebbutt.com, info@blueriverlaw.com, jlaughlin@cascwild.org, nick@cascwild.org, nrinfo@nrinfo.org, Ex. 6 Personal Privacy (PP) [REDACTED]@gmail.com, blanouette@upperskagit.com, michaelk@skagitlandtrust.org, vonessen.ashley@nisqually-nsn.gov, "Epstein, Larry (PSP)" <larry.epstein@psp.wa.gov>, diane.hennessey@epa.gov, marine@washington.sierraclub.org, Ex. 6 Personal Privacy (PP) [REDACTED]@olympus.net, Ex. 6 Personal Privacy (PP) [REDACTED]@msn.com, "Ralph (ECY)" <RSVR461@ecy.wa.gov>, hpickernell@chehalistribe.org, andy.joseph@colvilletribes.com, dbarnett@cowlitz.org, lisa.martinez@hohtribe-nsn.org, rallen@jamestowntribe.org, jeromys@pgst.nsn.us, tomwooten@samishtribe.nsn.us, gmiller@skokomish.org, trgobin@tulaliptribes-nsn.gov, delano_saluskin@yakama.com, bill.sterud@puyalluptribe-nsn.gov, nmaltos@sauk-suiattle.com, ewhite@stillaguamish.com, darylwilliams@tulaliptribes-nsn.gov, lnelson@tulaliptribes-nsn.gov, darlenes@olympus.net, swroerts@ecy.wa.gov, ECY RE NWRO ERTS <nwroerts@ecy.wa.gov>, eroertscoordinator@ecy.wa.gov, croerts@ecy.wa.gov, Kirstenm@re-sources.org, alyssa@pugetsoundkeeper.org, Bonnie.Gail@washington.sierraclub.org, jennifer.hennessey@gov.wa.gov, jt.austin@gov.wa.gov, becky.kelley@gov.wa.gov, mbatayola@elcentrodelaraza.org, aurora@frontandcentered.org, Jarred.Erickson.cbc@colvilletribes.com, david.mendoza@tnc.org, CouncilOffices@puyalluptribe-nsn.gov, bill.sherman@atg.wa.gov, Sahar.fathi@atg.wa.gov, asa.washines@atg.wa.gov, Joe.Fitzgibbon@leg.wa.gov, Davina.Duer@leg.wa.gov, Mary.Dye@leg.wa.gov, Mark.Klicker@leg.wa.gov, Peter.Abbarno@leg.wa.gov, Liz.Berry@leg.wa.gov, Matt.Boehnke@leg.wa.gov, Jake.Fey@leg.wa.gov, Keith.Goehner@leg.wa.gov, Kirsten.Harris-Talley@leg.wa.gov, Alex.Ramel@leg.wa.gov,

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Subject: Your Timely and Required Response Is Now Past Due...Weekly Reminder

Good morning Ms. Watson, Mr. Sandison, and Mr. Rau,

Just a friendly reminder that your responses are past due for the following issues itemized below. Kindly review your items and reply in the near future to the entire group. We are all confident you understand the importance of these issues and as such you will give your responses your highest priority.

1) Ms. Watson and Mr. Sandison with their explanation why tacitly allowing non point pollution in floodplains by not eliminating application during the flooding season, such as the 500 cu yards flooded twice in the Silvana area and manure applications on frozen ground and snow subsequently flooded through voluntary compliance is superior to using USDA BMPs eliminating flood plain manure applications during flooding season, and states such as Vermont whose regulations eliminate flood plain manure application (October 16th to April 14th) shown to be without burden to agriculture. Additional and similar agricultural nonpoint pollution issues include poor lagoon management requiring the emptying of manure lagoons during the Fall rainy season up to the edge of drainage ditches in communication with the Stillaguamish river near Stanwood.

I am also confident Ms. Watson and Mr. Sandison will create a "balanced" working group to address this flood plain non point agricultural issue as the Agricultural Water Quality Committee already has many other voluntary guidance chapters planned (work completion 2025 per Mr. Rau), none of which will adequately address non point pollution specifically in flood plains. Perhaps Mr. Tebutt and his law office at state expense may be consulted to help draft the agricultural nonpoint pollution flood plain proposed regulations saving time and effort leading to rapid legislature approval and sooner improved water quality.

2) The 2015 "Nonpoint Water Quality Plan" supplied by Mr. Rau does not address or mention floodplain nonpoint agricultural pollution, a serious failing of this document for a serious problem known for so long, appearing to be conspicuously absent, clearly a subject of great importance in most every other state except Washington. Perhaps as this is related to item 1 above, Ms. Watson and Mr. Sandison may address this issue as well and their proposed solutions? The results of not addressing flood plain non point agricultural pollution may easily be seen in the reduction of commercial shellfish closures and the Puyallup watershed continued c+ rating, both identified in the Tribal Watershed Reports shown below.

3) Mr. Rau needs to address the non inclusive nature with significant bias in favor of agriculture special interests, under represented by the Tribes and environmental organizations composing less than 8% of the membership in the Agricultural Water Quality Committee. This is based on his committee roster supplied on 4/22/22. In contrast, other states such as Oklahoma have equal membership by agriculture and environmentally concerned groups, including Tribes, the roster is below to serve as comparison to Washington state.

The current composition of the Agricultural Water Quality Committee only highlights the biased nature of the committee which will once again be reflected in the voluntary compliance document now in progress. The Agricultural Water Quality Committee must include a balanced roster and be responsible for contracting with Mr. Tebutts and his law office at state expense to assure all agricultural compliance and stakeholder advocacy issues are addressed.

This deficiency of non inclusiveness, and lack of diversity in the stakeholder membership needs to be acted upon during the next Agricultural Water Quality Committee meeting before any other actions are taken. It is expected this process creating greater inclusivity and diversity will be overseen by a Governor's office representative.

4) Ex. 6 Personal Privacy (PP) has brought to our attention that regarding ERTs submissions, the WSDA administrator who oversees the DNMP took her information, acted as investigator, defense, judge and jury not providing Ex. 6 Personal Privacy (PP) with an opportunity to discuss or rebut her findings and simply closed the case. Perhaps in such cases a review committee comprised of membership by state, federal, tribes and environmental groups should be formed to review the process in which state inspectors may be held accountable for not protecting waters of the state as required by RCW 90.64. We would all agree Ms. Watson and Mr. Sandison will be eager to resolve important situations such as this as compliance is ultimately their responsibility. Furthermore, this may be thought of as an unbiased appeals committee which may meet electronically at the request of agriculture or concerned environmental groups or citizens as requested. Surely Ms. Watson and Mr. Sandison would be in favor of such a process along with oversight of the Governor's office on development and implementation of such a review board. Perhaps the board can be formed by members of the ECY Office of Equity & Environmental Justice. We look forward to Ms. Watson and Mr. Sandison addressing this important oversight issue.

These four issues listed above echo similar issues also reported by the Tribes, Western Environmental Law Center, and the Governor's office 12/21 policy brief proposing the Loomis Bill, none of these issues are new, yet they are perpetually ignored or given minimal priority. All of these documents are attached. The graphic in the Governor's brief shown below highlights the problem with the current agricultural regulations shown over many years with 71% of the salmon populations in crisis or not keeping pace. The Tribal cultural losses due to decreased salmon populations are incalculable and can not be defined through statistics or a dollar value. How can such values be given to a culture's practices which are lost?

Once passenger pigeons were estimated in the billions, they are now extinct, at the present rate of decline with the current ECY and WSDA regulations a similar fate awaits the salmon as well also once numbering in the billions, currently salmon populations are at 5% of historic levels as documented by the Western Environmental Law Center in their April 2016 report which is attached.

As Washington state's responsible guardians of our environment and native fishing cultures protected by treaties by assuring sound environmental policies and practices, Ms. Watson and Mr. Sandison need to abandon their time proven failed policies, including "voluntary compliance" as indicated by ever decreasing salmon populations and embrace successful proven regulatory practices and models without delay.

I propose a simple and valuable challenge, let 2022 be a year of regulatory enlightenment, a turning point for the good of the environment and all of Washington state casting off the shackles of the past failures and special interests...moving ahead for the good of all instead of a select few whose careless actions without repercussions from regulatory non compliance and associated nonpoint agricultural pollution they cause leading to lower water quality, less salmon, and the the continued destruction of Tribal cultures in the Puget Sound.

The time has come to prohibit manure applications in flood plains entirely eliminating the potential for unnecessary nonpoint agricultural pollution as recommended by the USDA BMPs and other states who have found this practice not to burden agriculture...to take one important

step towards saving the few remaining salmon we still have.

Time is not our friend. If we are to have any chance at recovery in our lifetimes before we lose more populations of salmon and our resident orcas, this action is needed now. If we are to expect the public sector to lead in this issue and reduce the burden on private property landowners, this action is needed now. If we want to leave this world a better place than when we found it, we need action now. 2020 State of Our Watersheds Report, Nisqually River Watershed

Taking no action once issues are presented is in itself a decision. Let these decisions by Ms. Watson, Mr. Sandison, and Mr. Rau be noted on the email servers of federal, Tribal, state, and local governments for recorded history as reasons for the continued loss of Tribal cultures, decline of salmon populations, and other environmental issues we face degrading our environment.

Let us all "challenge the status quo on salmon recovery" as the late Ms. Loomis would want and called for in her own words.

Along with many of the other individuals listed in this email, awaiting the courtesy of prompt responses from Ms. Watson, Mr. Sandison, and Mr. Rau, I am, in Stanwood,

Ex. 6 Personal Privacy (PP)

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